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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 GREGORY C. BONTEMPS,

No. 2:14-cv-01028 DAD P

12 Plaintiff,

13 v.

ORDER

14 S. HERRERA, et al.,

15 Defendants.  
16

17 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42  
18 U.S.C. § 1983. Plaintiff has neither filed an application to proceed in forma pauperis pursuant to  
19 28 U.S.C. § 1915 nor paid the filing fee for this action.

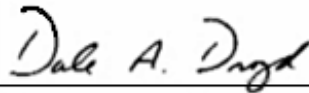
20 The federal venue statute provides that a civil action “may be brought in (1) a judicial  
21 district in which any defendant resides, if all defendants are residents of the State in which the  
22 district is located, (2) a judicial district in which a substantial part of the events or omissions  
23 giving rise to the claim occurred, or a substantial part of property that is the subject of the action  
24 is situated, or (3) if there is no district in which an action may otherwise be brought as provided in  
25 this action, any judicial district in which any defendant is subject to the court’s personal  
26 jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

27 In this case, all of the named defendants are located, and the claim arose, in Imperial  
28 County, which is within the Southern District of California. Therefore, plaintiff’s claim should

1 have been filed in the United States District Court for the Southern District of California. In the  
2 interest of justice, a federal court may transfer a complaint filed in the wrong district to the  
3 correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir.  
4 1974).

5 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United  
6 States District Court for the Southern District of California.

7 Dated: April 30, 2014

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10 DALE A. DROZD  
11 UNITED STATES MAGISTRATE JUDGE

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